

## REMARKS

Reconsideration of the application is respectfully requested for the following reasons:

1. Amendments to Specification and Claims

The specification has been amended to place the application in proper U.S. format by including headers.

In response to the Rejection Under 35 USC §112, 2<sup>nd</sup> Paragraph, claims 1-16 have been amended to place the claims in proper U.S. format without changing the scope of the claims or adding new limitations, and claim 17 (originally numbered as 18) has been canceled since it does not further limit any previous claim.

In addition, claims 1-16 have been amended by changing “security data memory” to –secured data storage–, as suggested in item 3 on pages 2-3 of the Official Action.

Because the changes are all formal in nature, it is respectfully submitted that the changes do not involve new matter.

2. Objection to Drawings

New formal drawings were submitted on September 23, 2004, as required in item 1 on page 2 of the Official Action.

3. Rejection of Claims 1-18 Under 35 USC §103(a) in view of U.S. Patent No. 6,308,272 (Pearce) and UK Patent Publication No. GB 2 227 107 (Sloan)

This rejection is respectfully traversed on the grounds that neither the Pearce patent nor the Sloan publication discloses or suggests the combination of:

- ◆ using of dual thresholded sensors (both “overshoot” and “undershoot”) to detected external actions against a secured data storage,

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### **AMENDMENTS TO DRAWINGS**

Please replace the original drawings with the Replacement Sheets submitted on September 23, 2004. Labels have been added to the functional blocks.

- ◆ erasure of data in the secured data storage in response to detection of an external action, and
- ◆ monitoring and recording of sensor status data, as recited in claims 1 and 10.

The claimed invention is concerned with the detection of such external threats to a protected data storage, the threats represented by, for example, high or low temperature, pressure, light, radioactivity, x-rays, electron beams and so forth (as explained on page 2 of the original specification). The condition of appropriate sensors is monitored and, if a threat is detected, sensitive data is erased and the status of the sensors recorded so as to enable analysis of past attacks.

In contrast, the Pearce patent merely discloses a motion sensor for detecting the presence of a person in a secured area. This is not the same as detecting attacks on device that includes the sensors. While the claimed sensors could possibly detected motion, the detected motion would be motion of the data storage itself, and not the motion of another entity. In other words, the claimed invention detects the impact of threats to the data storage device that includes the sensor unit, whereas the Pearce patent is concerned with threats that do not directly threaten the sensor unit itself. Since the only motion of interest in the system of Pearce is the motion of an intruder, it makes no sense for the motion sensor of Pearce to utilize two thresholds, and in particular a minimum and a maximum threshold, as claimed. Furthermore, since the Pearce patent is not concerned with detecting direct physical impact of an event on a data storage, but rather is concerned solely with the entrance of a person into a secured area, and therefore there is no possible need in the system of Pearce to erase data upon the occurrence of an event.

Like the Pearce patent, the Sloan publication fails to sense physical measurement values indicating a manipulation of the memory component, but rather senses personal and biometric data of persons, such as heart beat, voice, and other life parameters. The purpose of checking biometric data is to check the authorization of persons. Thus, neither the Sloan publication nor the Pearce patent addresses the same problem as the present invention, and neither comes up with

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the claimed solution of erasing data upon sensing and overshoot *or* undershoot of sensor data based on **upper *and* lower thresholds**.

It is true that the Sloan does teach erasure of data, either if a life function is below a threshold level for a preset time, or if successful biometric comparisons are not regularly performed. This is not the same as the claimed erasure based on upper *and* lower thresholds. Furthermore, Sloan does not provide for recordation of data concerning the life function sensor or a sensor 17 sensitive to breaking-open of the equipment, and provides no reason why recording of the type disclosed in Pearce, *i.e.*, of motion sensors, should be used in connection with the life function or tampering data collected by the sensors of Sloan.

Because the Pearce patent and the Sloan publication do not disclose all elements recited in claims 1-18, withdrawal of the rejection under 35 USC §103(a) is respectfully requested.

Having thus overcome each of the rejections made in the Official Action, withdrawal of the rejections and expedited passage of the application to issue is requested.

Respectfully submitted,

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